

[Counsel on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Jill Leovy,

Individual and Representative Plaintiff,

v.

Google LLC,

Defendant.

Case No. 5:23-cv-03440-EKL

**JOINT STIPULATION AND [PROPOSED]
ORDER CONSOLIDATING CASES**

Judge: Hon. Eumi K. Lee

Complaint Filed: July 11, 2023

FAC Filed: January 5, 2024

SAC Filed: June 27, 2024

Jingna Zhang, Sarah Andersen, Hope Larson, and
Jessica Fink,

Individual and Representative Plaintiffs,

v.

Google LLC and Alphabet Inc.,

Defendants.

Case No. 5:24-cv-02531-EKL

RELATED CASE

Judge: Hon. Eumi K. Lee

Complaint Filed: April 26, 2024

Pursuant to Federal Rule of Civil Procedure 42(a) and Local Rule 3-12(a), Plaintiffs Jill Leovy, Jingna Zhang, Sarah Andersen, Hope Larson, and Jessica Fink, and Defendants Google LLC and Alphabet Inc. jointly request that the above captioned actions (the “Actions”) be related and consolidated for all pretrial and trial proceedings. The parties, by and through their undersigned counsel, stipulate as follows:

1. WHEREAS, Plaintiff Jill Leovy and others filed a Class-Action Complaint (*Leovy* Dkt. 1) on July 11, 2023, against Defendant Google LLC (“Google”) in *Leovy et al. v. Google LLC*, Case No. 5:23-cv-03440-EKL (N.D. Cal. July 11, 2023) (the “*Leovy* Action”);

2. WHEREAS, the *Leovy* Plaintiffs filed a First Amended Complaint against Google on January 5, 2024 (*Leovy* Dkt. 28);

3. WHEREAS, Defendant Google moved to dismiss the *Leovy* Plaintiffs’ First Amended Complaint on February 9, 2024 (*Leovy* Dkt. 33);

4. WHEREAS, on April 26, 2024, Plaintiffs Jingna Zhang, Sarah Andersen, Hope Larson, and Jessica Fink filed a Class Action Complaint against Defendants Google and Alphabet Inc. (“Alphabet”) in *Zhang et al. v. Google LLC et al.*, Case No. 5:24-cv-02531-EKL (N.D. Cal. April 26, 2024) (the “*Zhang* Action”);

5. WHEREAS, on May 31, 2024, Google filed an administrative motion to consider whether the *Leovy* Action should be related to the *Zhang* Action (*Leovy* Dkt. 42);

6. WHEREAS, on June 6, 2024, Judge Martínez-Olguín granted Google’s motion to dismiss the *Leovy* Plaintiffs’ First Amended Complaint with leave to amend and denied without prejudice Google’s administrative motion to consider whether the actions should be related (*Leovy* Dkt. 46);

7. WHEREAS, on June 20, 2024, Defendants Google and Alphabet moved to dismiss the *Zhang* Complaint (*Zhang* Dkt. 24);

8. WHEREAS, in *Leovy*, Plaintiff Leovy filed a Second Amended Complaint against Defendant Google on June 27, 2024 (*Leovy* Dkt. 47);

9. WHEREAS, Google renewed its administrative motion to consider whether the *Leovy* Action should be related to the *Zhang* Action on July 11, 2024 (*Leovy* Dkt. 49) and Judge Martínez-Olguín granted that motion on July 23, 2024 (*Leovy* Dkt. 51; *Zhang* Dkt. 28);

10. WHEREAS, on July 29, 2024, Google moved to dismiss Plaintiff Leovy's Second Amended Complaint (*Leovy* Dkt. 55);

11. WHEREAS, the parties in the *Leovy* Action and the *Zhang* Action are scheduled to present oral arguments on Defendants' motions to dismiss the Second Amended Complaint in the *Leovy* Action and the Complaint in the *Zhang* Action on December 18, 2024 (*Leovy* Dkt. 64; *Zhang* Dkt. 46);

12. WHEREAS, on October 9, 2024, Defendants moved to consolidate the *Leovy* Action and the *Zhang* Action (*Leovy* Dkt. 70; *Zhang* Dkt. 49);

13. WHEREAS, Plaintiffs in the *Leovy* Action and the *Zhang* Action have each met and conferred with Defendants pursuant to Rule 26(f) of the Federal Rules of Civil Procedure (*Leovy* Dkt. 63; *Zhang* Dkt. 45);

14. WHEREAS, the parties agree that consolidation of the Actions will advance the just and efficient progress of this litigation, reduce case duplication, conserve Court time and resources, avoid the need to contact parties and witnesses for multiple proceedings, and minimize the expenditure of time and money for all parties involved, *see* Fed. R. Civ. P. 42(a);

15. WHEREAS, the parties have conferred and agreed that going forward, the *Leovy* Action and the *Zhang* Action shall be consolidated for all purposes under Federal Rule of Civil Procedure 42(a).

NOW THEREFORE, the parties, through their undersigned counsel, hereby stipulate and agree that, subject to the approval of the Court,

1. the *Leovy* Action and the *Zhang* Action shall be consolidated for all purposes under Federal Rule of Civil Procedure 42(a);

2. Google and Alphabet's motion to consolidate the *Leovy* Action and the *Zhang* Action (*Leovy* Dkt. 70; *Zhang* Dkt. 49) is denied as moot; and

3. the parties will meet and confer to address the conduct of the consolidated case going forward and will, within 10 days of this joint stipulation, submit an additional proposal or additional proposals to the Court.

Respectfully submitted,

Dated: October 25, 2024

By: /s/Joseph R. Saveri
Joseph R. Saveri (SBN 130064)
Christopher K.L. Young (SBN 318371)
Elissa A. Buchanan (SBN 249996)
Evan Creutz (SBN 349728)
JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1505
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
jsaveri@saverilawfirm.com
cyoung@saverilawfirm.com
eabuchanan@saverilawfirm.com
ecreutz@saverilawfirm.com

Matthew Butterick (SBN 250953)
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
Telephone: (323) 968-2632
Facsimile: (415) 395-9940
mb@buttericklaw.com

Brian D. Clark (admitted *pro hac vice*)
Laura M. Matson (admitted *pro hac vice*)
Arielle Wagner (admitted *pro hac vice*)
Eura Chang (admitted *pro hac vice*)
LOCKRIDGE GRINDAL NAUEN PLLP
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
Telephone: (612)339-6900
Facsimile: (612)339-0981
bdclark@locklaw.com
lmmatson@locklaw.com
aswagner@locklaw.com
echang@locklaw.com

*Attorneys for Plaintiffs and the Proposed
Class in the Zhang Action*

Dated: October 25, 2024

/s/Ryan J. Clarkson
Ryan J. Clarkson (SBN 257074)
Yana Hart (SBN 306499)
Tiara Avanness (SBN 343928)
CLARKSON LAW FIRM, P.C.
22525 Pacific Coast Highway
Malibu, CA 90265

Telephone: 213-788-4050
rclarkson@clarksonlawfirm.com
yhart@clarksonlawfirm.com

Tracey Cowan (SBN 250053)
CLARKSON LAW FIRM, P.C.
95 Third Street, Second Floor
San Francisco, CA 94103
Tel. (213) 788-4050
tcowan@clarksonlawfirm.com

Lesley E. Weaver (SBN 191305)
Anne K. Davis (SBN 267909)
Joshua D. Samra (SBN 313050)
BLEICHMAR FONTI & AULD LLP
1330 Broadway, Suite 630
Oakland, CA 94612
Tel. (415) 445-4003
lweaver@bfalaw.com
adavis@bfalaw.com
jsamra@bfalaw.com

Attorneys for Plaintiff and the Proposed Class in the Leovy Action

Dated: October 25, 2024

Respectfully Submitted,

By: /s/ David H. Kramer
David H. Kramer (SBN 168452)
Maura L. Rees (SBN 191698)
WILSON SONSINI GOODRICH & ROSATI P.C.
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
dkramer@wsgr.com
mrees@wsgr.com

Eric P. Tuttle (SBN 248440)
WILSON SONSINI GOODRICH & ROSATI P.C.
701 Fifth Avenue, Suite 5100
Seattle, WA 98104-7036
Telephone: (206) 883-2500
Eric.tuttle@wsgr.com

Attorneys for Defendants Google LLC and Alphabet Inc.

[PROPOSED] ORDER

PURSUANT TO JOINT STIPULATION, IT IS SO ORDERED.

Dated: _____

The Honorable Eumi K. Lee
U.S. District Court Judge

ATTESTATION PURSUANT TO CIVIL L.R. 5-1

The filer attests that the other signatories listed, on whose behalf the filing is also submitted, are registered CM/ECF filers and concur in the filing's content and have authorized the filing.

Dated: October 25, 2024

/s/Joseph R. Saveri
Joseph R. Saveri